

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

MACK HENRY LOTT, *et al.*,

Plaintiffs

VS.

DR. CHIQUITA FYE, *et al.*,

Defendants

NO. 5:14-CV-271 (MTT)

O R D E R

On October 7, 2014, Plaintiff **MACK HENRY LOTT** filed a document entitled “Appeal US Magistrate Judge[’]s Order” (Doc. 20). It is unclear which of two Magistrate Judge’s orders in this case Plaintiff wishes to appeal (Doc. 18 and Text Order dated Sept. 17, 2014).

Plaintiff also filed a motion to proceed *in forma pauperis* (“IFP”) on appeal (Doc. 23). As a prisoner with “three strikes” under 28 U.S.C. § 1915(g), Plaintiff may not proceed IFP on appeal unless he qualifies for the imminent danger of serious physical injury exception. As discussed in this Court’s August 1, 2014, Order, Plaintiff does not qualify for the imminent danger exception. Plaintiff’s motion to proceed IFP on appeal is accordingly **DENIED**. If Plaintiff wishes to proceed with his appeal, he must prepay the entire \$505 appellate filing fee.

Finally, Plaintiff has filed a motion for class certification (Doc. 24). As this Court has previously informed Plaintiff, multiple prisoners proceeding IFP cannot join together in a single class action lawsuit. Each prisoner wishing to sue Dr. Fye must file his own

separate section 1983 lawsuit and, in Plaintiff's case, must either pay the \$400.00 filing fee or allege facts demonstrating that he is in imminent danger of serious physical injury. Accordingly, Plaintiff's motion for class certification is **DENIED**.

SO ORDERED, this 12th day of November, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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